

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
(FORT WORTH DIVISION)**

NEXTGEAR CAPITAL, INC. AND
AUTOMOTIVE FINANCE
CORPORATION,

Plaintiffs,

v.

DRUIEN, INC. D/B/A LAWTON AUTO
AUCTION A/K/A LAWTON CACHE
AUTO AUCTION, LISA DRUIEN,
MICHAEL VERNON GARRISON D/B/A
ROCK HILL USED CARS, AND
AUSTIN MICHAEL GARRISON A/K/A
MIKE GARRISON D/B/A AUSTIN
FINANCIAL SERVICES,

Defendants.

Civil Action No. 4:20-CV-959-BJ

PLAINTIFFS' REPORT CONCERNING CHOSEN MEDIATOR

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiffs, NextGear Capital, Inc. ("NextGear") and Automotive Finance Corporation ("AFC") and collectively "Plaintiffs," hereby file this their Report Concerning Chosen Mediator pursuant to this Court's Order Extending Deadlines to Name A Mediator And Participate In A Formal Settlement Conference[Doc. # 72] entered in the above-styled case on March 11, 2021.

Counsel for Plaintiffs is pleased to announce that it has been able to reach an agreement with *pro se* defendant Michael Vernon Garrison d/b/a Rock Hill Used Cars and Richard Tallini, counsel for Druien, Inc. d/b/a Lawton Auto Auction and Lisa Druien, on a mediator. The chosen mediator is Judge Robert Jenevein of the firm Waddell | Serafino located at 1717 Main Street, 25th Floor, Dallas, Texas 75201. The phone number for Waddell | Serafino's firm at the Dallas office

is 214-979-7400, and the corresponding facsimile number is 214-979-7402. Mediation dates have been circulated, and both Michael Garrison d/b/a Rock Hill Used Cars and Mr. Tallini have advised they are free and open to mediation anytime on or after April 22, 2021. Specifically, the mediator has advised the dates of April 22nd, 23rd, 27th, and 28th are available for mediation. Although the mediation has not yet been scheduled, counsel for Plaintiffs anticipates it will be one of those four dates, with the informal in-person settlement conference scheduled the day prior to mediation.

WHEREFORE PREMISES CONSIDERED, Plaintiffs respectfully submit this report to the Court and will be happy to provide any additional or supplemental information as the Court requires regarding mediation or the in-person settlement per the Court's prior Order Extending Deadlines To Name A Mediator And Participate In A Formal Settlement Conference.

Respectfully submitted,

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Attorneys for NextGear and AFC

CERTIFICATE OF SERVICE

I hereby certify that on March 23rd, 2021, I served a copy of the foregoing to Druien, Inc. and Lisa Druien, by and through their counsel of record, Joseph M. Vacek and Richard Tallini, of Bailey & Galyen at 1300 Summit Avenue, Suite 650, Fort Worth, Texas 76102, via ECF and/or e-mail at jvacek@galyen and rtallini@galyen.com, and defendants Michael Vernon Garrison, *pro se*, at 549 I-30 E., Sulphur Springs, Texas 75482, via certified mail, return receipt requested, and e-mail at dgarrison31@hotmail.com.

/s/ Christopher V. Arisco

Christopher V. Arisco